

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

PRINCE E. NICELY,

Plaintiff,

v.

DR. GAMBLE,

Defendant.

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**Civil Action No.
5:08-CV-062 (CAR)**

**ORDER ON THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Before the Court is the United States Magistrate Judge's Recommendation [Doc.41] that Defendant's Motions to Dismiss [Doc. 19 & 33] be granted. An Objection the Recommendation [Doc. 42 & 43] and a timely Response [Doc. 45] thereto were filed. Pursuant to 28 U.S.C. § 636(b)(1), the Court has thoroughly considered Plaintiff's Objection and has made a *de novo* determination of the portions of the Recommendation to which Plaintiff objects. After careful consideration, the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation of the United States Magistrate Judge is therefore **ADOPTED** and **MADE THE ORDER OF THE COURT**. The motions to dismiss are hereby **GRANTED**.

SO ORDERED, this 23rd day of March, 2009.

S/ C. Ashley Royal
C. ASHLEY ROYAL
UNITED STATES DISTRICT JUDGE

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